

*AMENDMENTS TO THE CLAIMS*

This listing of claims will replace all prior versions, and listings, of claims in the application.

***Listing of Claims***

Claims 1-23 (canceled).

Claim 24 (currently amended): A transgenic plant stably transformed with a DNA sequence ~~of interest~~ that encodes ~~an Avr~~ a protein comprising two domains, wherein said two domains are an N-terminal resistance domain and a C-terminal ~~an~~ inactive cell death domain, wherein said N-terminal resistance domain is the resistance domain of the Tav2b gene, said C-terminal inactive cell death domain is selected from the group consisting of an inactive cell death domain of the Tav2b gene and the cell death domain of the Cmv2b gene, and said DNA sequence ~~being~~ is operatively linked to a promoter that is capable of causing expression of said DNA sequence in said plant when said plant is infected with a pathogenic organism.

Claim 25 (canceled).

Claim 26 (currently amended): The transgenic plant of claim ~~25~~ 24, wherein the ~~DNA sequence is a molecular chimera of the resistance domain of the Tav2b gene and~~ C-terminal inactive cell death domain is the cell death domain of the Cmv2b gene.

Claims 27-29 (canceled).

Claim 30 (currently amended): An expression vector comprising a DNA sequence ~~of interest~~ that encodes ~~an Avr~~ a protein comprising two domains, wherein said two domains are an N-terminal resistance domain and a C-terminal an inactive cell death domain, wherein said N-terminal resistance domain is the resistance domain of the Tav2b gene, said C-terminal inactive cell death domain is selected from the group consisting of an inactive cell death domain of the Tav2b gene and the cell death domain of the Cmv2b gene, and said DNA sequence being is operatively linked to a plant-active promoter.

Claim 31 (canceled).

Claim 32 (currently amended): The expression vector of claim ~~31~~ 30, wherein the ~~DNA sequence is a molecular chimera of the resistance domain of the Tav2b gene and C-terminal inactive cell death domain is~~ the cell death domain of the Cmv2b gene.

Claim 33 (currently amended): The expression vector of claim ~~30, 31 or 32~~, wherein ~~expression of the DNA sequence~~ the plant-active promotor is ~~controlled by~~ a pathogen-inducible promoter.

Claim 34 (original): The expression vector of claim 33, wherein the pathogen-inducible promoter is a PR protein gene promoter.

Claim 35 (currently amended): A seed of the transgenic plant of claim ~~24, 25 or 26~~, containing said DNA sequence ~~of interest~~.

Claim 36 (currently amended): A propagule of the transgenic plant of claim ~~24, 25 or 26~~, containing said DNA sequence ~~of interest~~.

Claim 37 (original): The transgenic plant of claim 24, which is corn, wheat, rice, millet, oat, barley, sorghum, sunflower, sweet potato, alfalfa, sugar beet, brassica species, tomato, pepper, soybean, tobacco, melon, squash, potato, peanut, pea, cotton or cacao.

Claim 38 (new): The expression vector of claim 32, wherein expression of the plant-active promoter is a pathogen-inducible promoter.

Claim 39 (new): The expression vector of claim 38, wherein the pathogen-inducible promoter is a PR protein gene promoter.

Claim 40 (new): A seed of the transgenic plant of claim 26, containing said DNA sequence.

Claim 41 (new): A propagule of the transgenic plant of claim 26, containing said DNA sequence.

Claim 42 (new): The transgenic plant of claim 24, wherein the promoter is a PR protein gene promoter.

Claim 43 (new): The transgenic plant of claim 26, wherein the promoter is a PR protein gene promoter.